

Senate File 2410 - Reprinted

SENATE FILE 2410

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 3200)

(As Amended and Passed by the Senate June 4, 2020)

A BILL FOR

1 An Act relating to the use of revenues from the secure an
2 advanced vision for education fund for certain athletic
3 facility infrastructure projects and including effective
4 date and retroactive applicability provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 423F.3, subsection 7, paragraph a, Code
2 2020, is amended to read as follows:

3 a. Prior to approving the use of revenues received under
4 this chapter for an athletic facility infrastructure project
5 within the scope of the school district's approved revenue
6 purpose statement or pursuant to subsection 4 for a school
7 district without an approved revenue statement, the board of
8 directors shall adopt a resolution setting forth the proposal
9 for the athletic facility infrastructure project and hold an
10 additional public hearing on the issue of construction of the
11 athletic facility. Notice of the time and place of the public
12 hearing shall be published not less than ten nor more than
13 twenty days before the public hearing in a newspaper which is a
14 newspaper of general circulation in the school district. If
15 at any time prior to the fifteenth day following the hearing,
16 the secretary of the board of directors receives a petition
17 containing the required number of signatures and asking that
18 the question of the approval of the use of revenues for the
19 athletic facility infrastructure project be submitted to the
20 voters of the school district, the board of directors shall
21 either rescind the board's resolution for the use of revenues
22 for the athletic facility infrastructure project or direct the
23 county commissioner of elections to submit the question to the
24 registered voters of the school district at an election held
25 on a date specified in section 39.2, subsection 4, paragraph
26 "c". The petition must be signed by eligible electors equal
27 in number to ~~not less than one hundred~~ the lesser of one
28 thousand or thirty percent of the number of voters who cast
29 a vote for the board of directors of the school district at
30 the last preceding election of school officials under section
31 277.1, whichever is greater but not less than one hundred.
32 If ~~a majority~~ at least sixty percent of those voting on the
33 question favors the use of the revenues for the athletic
34 facility infrastructure project, the board shall be authorized
35 to approve such use by resolution of the board. If ~~a majority~~

1 less than sixty percent of those voting on the question ~~does~~
 2 ~~not favor~~ favours the use of the revenues for the athletic
 3 facility infrastructure project, the board of directors shall
 4 rescind the board's resolution for the use of revenues for the
 5 athletic facility infrastructure project. If a petition is not
 6 received by the board of directors within the prescribed time
 7 period, the board of directors may approve the use of revenues
 8 for the athletic facility infrastructure project without voter
 9 approval.

10 Sec. 2. Section 423F.4, subsection 2, paragraph b, Code
 11 2020, is amended to read as follows:

12 b. For bonds subject to the requirements of paragraph
 13 "a", if at any time prior to the fifteenth day following the
 14 hearing, the secretary of the board of directors receives a
 15 petition containing the required number of signatures and
 16 asking that the question of the issuance of such bonds be
 17 submitted to the voters of the school district, the board shall
 18 either rescind its adoption of the resolution or direct the
 19 county commissioner of elections to submit the question to the
 20 registered voters of the school district at an election held
 21 on a date specified in [section 39.2, subsection 4](#), paragraph
 22 "c". The petition must be signed by eligible electors equal in
 23 number to not less than one hundred or thirty percent of the
 24 number of voters who cast a vote for the board of directors of
 25 the school district at the last preceding election of school
 26 officials under [section 277.1](#), whichever is greater. If the
 27 board submits the question at an election and a majority of
 28 those voting on the question favors issuance of the bonds, the
 29 board shall be authorized to issue the bonds.

30 Sec. 3. SECURE AN ADVANCED VISION FOR EDUCATION REVENUES —
 31 ATHLETIC FACILITY INFRASTRUCTURE PROJECTS — ELECTION REQUIRED.

32 1. For an athletic facility infrastructure project approved
 33 by the board of directors of a school district on or after
 34 May 1, 2020, but before the effective date of this Act, to
 35 be funded in whole or in part by revenues from the secure an

1 advanced vision for education fund, the portion of section
2 423F.3, subsection 7, authorizing the filing of a petition
3 requesting an election be held on the question of the approval
4 of the use of revenues for the project shall not apply and such
5 athletic facility infrastructure project shall not be funded in
6 whole or in part by revenues from the secure an advanced vision
7 for education fund until the use is approved by the voters of
8 the school district under subsection 2.

9 2. For an athletic facility infrastructure project subject
10 to the election requirement of subsection 1, the board of
11 directors shall either rescind the board's resolution for
12 the use of revenues for the athletic facility infrastructure
13 project or direct the county commissioner of elections to
14 submit the question to the registered voters of the school
15 district at an election held on a date specified in section
16 39.2, subsection 4, paragraph "c". If at least sixty percent
17 of those voting on the question favors the use of the revenues
18 for the athletic facility infrastructure project, the board
19 shall be authorized to approve such use by resolution of the
20 board. If less than sixty percent of those voting on the
21 question favors the use of the revenues for the athletic
22 facility infrastructure project, the board of directors shall
23 rescind the board's resolution for the use of revenues for the
24 athletic facility infrastructure project.

25 3. For purposes of this section, "athletic facility
26 infrastructure project" means the same as defined in section
27 423F.3, subsection 7.

28 Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate
29 importance, takes effect upon enactment.

30 Sec. 5. RETROACTIVE APPLICABILITY. The section of this Act
31 relating to athletic facility infrastructure projects approved
32 on or after May 1, 2020, but before the effective date of this
33 Act applies retroactively to May 1, 2020, for athletic facility
34 infrastructure projects approved on or after that date but
35 before the effective date of this Act.